

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

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3	UNITED STATES OF AMERICA,)	Docket No. 11 CR 50076
)	
4	Plaintiff,)	Rockford, Illinois
)	Thursday, May 2, 2013
5	v.)	11:00 o'clock a.m
)	
6	ERIC INSELBERG,)	
)	
7	Defendant.)	

**TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE PHILIP G. REINHARD**

APPEARANCES:

10	For the Government:	HON. GARY S. SHAPIRO
11		Acting United States Attorney
12		(327 S. Church Street,
		Rockford, IL 61101) by
13		MR. MICHAEL D. LOVE
		Assistant U. S. Attorney

14	For the Defendant:	(No Appearance)
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15	Court Reporter:	Mary T. Lindbloom
16		327 S. Church Street
		Rockford, Illinois 61101
17		(815) 987-4486

1 THE CLERK: 11 CR 50076, U.S.A. v. Eric Inselberg.

2 MR. LOVE: Good morning, your Honor. Mike Love on
3 behalf of the United States.

4 THE COURT: Good morning. You say unopposed United
5 States combined motions for leave to dismiss the indictment.
6 What do you mean combined motions?

7 MR. LOVE: Well, the rule seems to contemplate that
8 first I have to ask the court for permission to file a motion to
9 dismiss, and so I wanted to do it in a single step, if possible.

10 THE COURT: All right. That's all right. Then I
11 understand what it is. And Eric Inselberg is an isolated --
12 it's one case; is that right?

13 MR. LOVE: That's correct, your Honor.

14 THE COURT: And let me just look and see. It's part of
15 this sports memorabilia business that you have a number of
16 indictments on, but they're all separate; is that correct?

17 MR. LOVE: That is correct, Judge.

18 THE COURT: And you're seeking to dismiss this because
19 it's going to be prosecuted someplace else?

20 MR. LOVE: No, your Honor. It's a dismissal, complete
21 dismissal. I can tell the court that the U.S. Attorney's Office
22 reevaluated the strength of the case in light of some new facts
23 that were pointed out to us by defense counsel, and we
24 determined that the prosecution was no longer appropriate.

25 THE COURT: All right. I appreciate that, and that's

1 why I wanted to get you in front of me, to know what is
2 happening. Also, there are pending motions that the defense
3 counsel had filed.

4 MR. LOVE: That's correct, your Honor.

5 THE COURT: And those would be dismissed along with the
6 case.

7 MR. LOVE: Yes, your Honor.

8 THE COURT: All right. I understand. And based on the
9 government's motion, the indictment against Eric Inselberg will
10 be dismissed, and all pending motions are denied as moot.

11 MR. LOVE: Thank you, your Honor.

12 THE COURT: Anything else?

13 MR. LOVE: No, your Honor.

14 THE COURT: And I take it that -- is there any bond
15 that was posted, or was this a recog bond?

16 MR. LOVE: I believe -- my recollection is a recog
17 bond, Judge.

18 THE COURT: All right. Well, if that's the case --
19 you'll go back and check. I mean, if you find that there was a
20 cash bond posted, then call Jen, and I would include that in my
21 order that the bond can be released.

22 MR. LOVE: I understand, and I'll do that. I will also
23 mention to the court that with regard to the other cases that
24 involved sports memorabilia that are pending for sentencing
25 before the court, one of the defendants, Schumaker, is going to

1 be continuing to cooperate in other matters through our --
2 matters in our Chicago office.

3 The other defendants I have advised their attorneys
4 that we had made the motion with regard to Mr. Inselberg and
5 that I would be working with them and with the court to schedule
6 their sentencings.

7 THE COURT: Usually, I would have -- the probation
8 office would have gone ahead and done the PSRs. So, if that's
9 the case, just notify Jen that you're ready and on which cases.

10 MR. LOVE: Okay. Will do, Judge.

11 THE COURT: And then if you want to -- probably about
12 all of them are out-of-town attorneys?

13 MR. LOVE: Yes, they are, with the exception of
14 Mr. Gaziano.

15 THE COURT: All right. Well, maybe you could give us
16 an idea of dates, you know, a couple of dates, so we can
17 schedule it.

18 MR. LOVE: Would you prefer to do them fairly close
19 together since they're similar?

20 THE COURT: Probably. Probably. I do recall the
21 pleas, and I know most of them are probably still businessmen.

22 MR. LOVE: That's correct, your Honor.

23 THE COURT: So, yes, it's helpful to have related --
24 even though they're not directly related, they're all the same
25 subject matter.

1 MR. LOVE: Correct.

2 THE COURT: Yes, that would help. So, I guess we want
3 you to ahead of time talk with the other attorneys and say look
4 it. We've got to start setting these for sentencing. And if
5 you've got some suggested times in -- even as late as sometime
6 late this month, you could do that, but June or July or August
7 or September. The earlier the better.

8 MR. LOVE: Understood. I will let you know, Judge,
9 that in one of them there was a typographical error and a
10 difference between a date in the information to which the
11 defendant pled guilty. That was the wrong date off by a year or
12 a month, something like that. It was correct in the factual
13 version in the plea agreement, but it was still our plan to
14 advise the court and, if the court agrees, to schedule to redo
15 the plea, I guess.

16 THE COURT: Well, usually, I think you -- an
17 information you can amend on its face in front of me.

18 MR. LOVE: Yes.

19 THE COURT: And I don't think I have to go through the
20 entire litany. I'll straighten it out.

21 MR. LOVE: Understood. Thank you, Judge.

22 THE COURT: All right.

23 MR. LOVE: Thank you.

24 THE COURT: That's all.

25

1 **(Which were all the proceedings had in the above-entitled**
2 **cause on the day and date aforesaid.)**

3 **I certify that the foregoing is a correct transcript from**
4 **the record of proceedings in the above-entitled matter.**

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7 **Mary T. Lindbloom**
8 **Official Court Reporter**

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